

## Union Calendar No. 559

106TH CONGRESS  
2D SESSION

# H. R. 4721

[Report No. 106-928]

To provide for all right, title, and interest in and to certain property in  
Washington County, Utah, to be vested in the United States.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2000

Mr. HANSEN introduced the following bill; which was referred to the  
Committee on Resources

OCTOBER 3, 2000

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 22, 2000]

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## A BILL

To provide for all right, title, and interest in and to certain  
property in Washington County, Utah, to be vested in  
the United States.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. ACQUISITION OF CERTAIN PROPERTY IN WASH-**  
2 **INGTON COUNTY, UTAH.**

3 (a) *IN GENERAL.*—Notwithstanding any other provi-  
4 sion of law, effective 30 days after the date of the enactment  
5 of this Act, all right, title, and interest in and to, and the  
6 right to immediate possession of, the 1,516 acres of real  
7 property owned by the Environmental Land Technology,  
8 Ltd. (ELT) within the Red Cliffs Reserve in Washington  
9 County, Utah, and the 34 acres of real property owned by  
10 ELT which is adjacent to the land within the Reserve but  
11 is landlocked as a result of the creation of the Reserve, is  
12 hereby vested in the United States.

13 (b) *COMPENSATION FOR PROPERTY.*—Subject to sec-  
14 tion 309(f) of the Omnibus Parks and Public Lands Man-  
15 agement Act of 1996 (Public Law 104–333), the United  
16 States shall pay just compensation to the owner of any real  
17 property taken pursuant to this section, determined as of  
18 the date of the enactment of this Act. An initial payment  
19 of \$15,000,000 shall be made to the owner of such real prop-  
20 erty not later than 30 days after the date of taking. The  
21 full faith and credit of the United States is hereby pledged  
22 to the payment of any judgment entered against the United  
23 States with respect to the taking of such property. Payment  
24 shall be in the amount of—

25 (1) the appraised value of such real property as  
26 agreed to by the land owner and the United States,

1       *plus interest from the date of the enactment of this*  
2       *Act; or*

3               *(2) the valuation of such real property awarded*  
4       *by judgment, plus interest from the date of the enact-*  
5       *ment of this Act, reasonable costs and expenses of*  
6       *holding such property from February 1990 to the date*  
7       *of final payment, including damages, if any, and rea-*  
8       *sonable costs and attorneys fees, as determined by the*  
9       *court. Payment shall be made from the permanent*  
10       *judgment appropriation established pursuant to sec-*  
11       *tion 1304 of title 31, United States Code, or from an-*  
12       *other appropriate Federal Government fund.*

13       *Interest under this subsection shall be compounded in the*  
14       *same manner as provided for in section 1(b)(2)(B) of the*  
15       *Act of April 17, 1954, (Chapter 153; 16 U.S.C.*  
16       *429b(b)(2)(B)) except that the reference in that provision*  
17       *to “the date of the enactment of the Manassas National Bat-*  
18       *tlefield Park Amendments of 1988” shall be deemed to be*  
19       *a reference to the date of the enactment of this Act.*

20               *(c) DETERMINATION BY COURT IN LIEU OF NEGO-*  
21       *TIATED SETTLEMENT.—In the absence of a negotiated set-*  
22       *tlement, or an action by the owner, the Secretary of the*  
23       *Interior shall initiate within 90 days after the date of the*  
24       *enactment of this section a proceeding in the United States*  
25       *Federal District Court for the District of Utah, seeking a*

1 *determination, subject to section 309(f) of the Omnibus*  
2 *Parks and Public Lands Management Act of 1996 (Public*  
3 *Law 104–333), of the value of the real property, reasonable*  
4 *costs and expenses of holding such property from February*  
5 *1990 to the date of final payment, including damages, if*  
6 *any, and reasonable costs and attorneys fees.*



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